

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF NEW YORK

**DAVID CHOL SON,**

Plaintiffs

-against-

**UNITED STATES OF AMERICA,**

Defendants

Case Number:

**VERIFIED COMPLAINT**  
**Plaintiffs Demand Trial by Jury**

Plaintiff, by their attorneys, LAW OFFICES OF KIM & CHA, LLP, as and for their  
Complaint, respectfully alleges, upon information and belief:

**INTRODUCTION AND JURISDICTION**

1. This is an action commenced under the Federal Tort Claims Act (the “Act”) involving Plaintiff, DAVID CHOL SON, and defendant, UNITED STATES OF AMERICA.
2. Pursuant to the Act, jurisdiction is proper in the United States District Court. Venue is based upon the Plaintiff’s residence in Queens County. Venue is proper pursuant to 28 U.S.C.S. §1391(e)(1).
3. Pursuant to Exhibit “A”, suit is timely filed by plaintiff on March 28, 2025, which is more than six months after the submission of the Notice of Claim to the appropriate federal agency. As the agency has failed to take a final determination within the required timeline, Plaintiff is now entitled to proceed with this action under the Act.

**THE PARTIES**

4. The plaintiff, DAVID CHOL SON, at all times herein mentioned, was and still a resident of the County of Queens and the State of New York.
5. The defendant, UNITED STATES OF AMERICA, is named herein as a defendant pursuant to the Federal Tort Claims Act.

**AS AND FOR PLAINTIFF'S FIRST CLAIM**

6. On or about October 27, 2023, plaintiff, DAVID CHOL SON owned an automobile, bearing license plate number T670930C.

7. On or about October 27, 2023, plaintiff, DAVID CHOL SON was the operator of an automobile, bearing license plate number T670930C.

8. On or about October 27, 2023, defendant, UNITED STATES OF AMERICA was the registered owner of a Grumman truck, bearing license plate number 1610355.

9. On or about October 27, 2023, defendant, UNITED STATES OF AMERICA was the title owner of a Grumman truck, bearing license plate number 1610355.

10. On or about October 27, 2023, Juan Manuel Rodriguez was the operator of a Grumman truck, bearing license plate number 1610355, with the express knowledge, consent and/or on the business of its owner. i.e., the defendant, UNITED STATES OF AMERICA.

11. On or about October 27, 2023, the vehicle operated by Juan Manuel Rodriguez came in contact with the vehicle operated by plaintiff, DAVID CHOL SON, at or near 10<sup>th</sup> Avenue and 41<sup>st</sup> Street in the County of New York, State of New York.

12. Solely as a result of the defendants' negligence, carelessness and recklessness the plaintiff was caused to suffer severe and serious personal injuries to mind and body, and further, that the plaintiff was subject to great physical pain and mental anguish.

13. As a result of the foregoing, the plaintiff sustained serious personal injuries as defined in Section 5102(d) of the Insurance Law of the State of New York, and/or economic loss greater than basic economic as defined in Section 5102(a) of the Insurance Law of the State of New York.

14. Due to defendants' negligence, plaintiff, DAVID CHOL SON, is entitled to

damages.

**AS AND FOR THE PLAINTIFF'S SECOND CLAIM**

15. Plaintiff, DAVID CHOL SON, repeats and realleges each and every allegation in paragraph number "1" through "14" of the Complaint as if fully set forth at length herein.

16. By reason of foregoing, the plaintiff DAVID CHOL SON's vehicle was damaged, thereby necessitating repairs and/or replacement thereof.

17. Due to defendants' negligence, plaintiff DAVID CHOL SON is entitled to damages.

**WHEREFORE**, the plaintiff demands:

- a. judgment awarding damages on the first claim;
- b. judgment awarding damages on the second claim;
- c. interest, costs and disbursements of this action, together with such other and further relief as to this Court seems just and proper.

Dated: Bayside, New York  
March 27, 2025

LAW OFFICES OF KIM & CHA, LLP



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DAVID CHOL SON

STATE OF NEW YORK     )  
                                      )SS:  
COUNTY OF QUEES     )

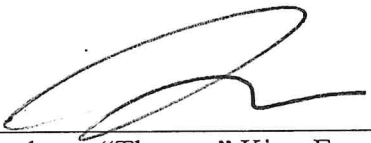
**ATTORNEY VERIFICATION**

Soohyun “Thomas” Kim, an attorney duly admitted to practice before the Courts of the State of New York and the United States District Court of the Eastern District of New York, affirms the following to be true under the penalties of perjury:

I am the partner of the Law Offices of Kim & Cha, LLP, attorneys of record for the Plaintiff, DAVID CHOL SON, in the within action. I have read the annexed COMPLAINT and know the contents thereof, and the same are true to my knowledge, except those matters therein which are stated to be alleged upon information and belief, and so those matters I believe them to be true. My belief, as to those matters therein not stated upon knowledge, is based upon facts, records, and other pertinent information contained in my files.

The reason this verification is made by me and not by the Plaintiff is that the Plaintiff is not presently in the County wherein the attorneys for the Plaintiff maintain their office.

Dated: Bayside, New York  
March 27, 2025

  
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Soohyun “Thomas” Kim, Esq.  
*Attorney for Plaintiff*